

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-334-C - ORDER NO. 90-864 ✓
SEPTEMBER 11, 1990

IN RE: Petition of the South Carolina) ORDER GRANTING
 Telephone Association for) MOTION TO COMPEL
 Declaratory Ruling as to 1-700) AND MOTION TO
 dialing.) PRODUCE

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Petition filed on April 10, 1990, by the South Carolina Telephone Association (SCTA) requesting the Commission to make a determination that utilization of the 700 access code to originate intraLATA calls has not been approved by this Commission, and that the Commission issue its Order prohibiting such use of the 700 access code.

This petition has been duly noticed to the public and Petitions to Intervene were timely filed on behalf of SouthernNet of South Carolina, Inc., d/b/a Telecom*USA (Telecom); US Sprint Communications Company Limited Partnership (Sprint); Steven Hamm, the Consumer Advocate for the State of South Carolina (the Consumer Advocate); and MCI Telecommunications Corporation (MCI). By Commission Order Nos. 90-692 and 90-797 respectively, AT & T Communications of the Southern States (AT & T) and the South Carolina Division of Resource Management (DIRM) were also granted leave to intervene.

The record in this matter shows the following:

1. Telecom filed its first set of interrogatories to SCTA with the Commission on July 27, 1990, pursuant to Commission regulation 103-851. Answers to these interrogatories were to be filed on or before August 13, 1990. When no response or objection to the relevancy or appropriateness of the interrogatories was filed by SCTA as of August 20, 1990, Telecom filed a Motion to Compel response to its First Set of Interrogatories.

2. On August 22, 1990, Telecom filed its Second Set of Interrogatories and a Motion to Produce. Response to this Second Set of Interrogatories was to be served on or before September 6, 1990. No response to the Second Set of Interrogatories has yet been served upon Telecom or filed with the Executive Director of the Commission as required by Commission Regulation 103-851.

3. The Commission was advised on September 4, 1990, of the receipt of responses to the First Set of Interrogatories.

4. On August 27, 1990, Telecom filed a Motion to Extend Time to Pre-file Testimony and to Continue Hearing in which it alleges that complete responses by SCTA to the First Set of Interrogatories will create the need for additional discovery requests by Telecom and that the failure of SCTA to timely respond to the discovery requests of Telecom has prejudiced Telecom in its ability to fully and effectively prepare its testimony and evidence by the present deadline. The Commission, in its Order No. 90-865, found that Telecom's Motion to Extend Time to Pre-file Testimony and to Continue Hearing was well taken and extended the hearing

date until October 31, 1990.

Based upon the record in this matter and in accordance with established law, the Commission finds that Telecom's Motion to Compel as to the First Set of Interrogatories, though well taken, has been rendered moot by the September 4, 1990, filing by SCTA. However, its Motion to Produce as to the Second Set of Interrogatories is also well taken and should be granted.

IT IS THEREFORE ORDERED that SCTA file its response to the Second Set of Interrogatories within five days after receipt of this Order.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)